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02/22/2006 15:33 FAX 6508395071	FISH & RICHARDSON	0001
Attorney's Docket No.: 07844-469001 Client's Ref. No.: P433		
<b>OFFICIAL COMMUNICATION FACSIMILE:</b>		
<b>OFFICIAL FAX NO: (571) 273-8300</b>		
Number of pages including this page 15		
Applicant : Marilyn E. Shade, et al.	Art Unit : 2178	
Serial No. : 09/964,293	Examiner : Manglesh M. Patel	
Filed : September 25, 2001		
Title : TEXT COMPOSITION SPACING AMOUNT SETTING DEVICE WITH ICON INDICATORS		
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
Attached to this facsimile communication cover sheet is <i>Amendment In Reply To Action Mailed January 3, 2006, And Interview Summary</i> , faxed this 22 <sup>nd</sup> day of February, 2006, to the United States Patent and Trademark Office.		
Respectfully submitted,		
Date: February 22, 2006	 Brian J. Gustafson Reg. No. 52,978	
Fish & Richardson P.C. 500 Arguello Street, Suite 500 Redwood City, California 94063 Telephone: (650) 839-5070 Fax: (650) 839-5071		
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<small>PAGE 1/15 * RCVD AT 2/22/2006 6:31:56 PM [Eastern Standard Time] * TX: UNPT9-EPXNF-6/39 * DNR: 2738300 * CND: 6508395071 * DURATION (min-ss): 03-42</small>		

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Attorney's Docket No.: 07844-469001  
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**OFFICIAL COMMUNICATION FACSIMILE:****OFFICIAL FAX NO: (571) 273-8300**

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INDICATORS

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Brian J. Gustafson  
Reg. No. 52,978

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Fax: (650) 839-5071

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Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Mail Stop Amendment**

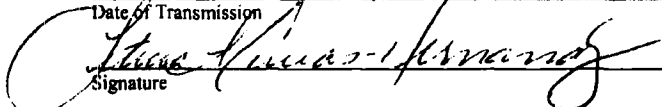
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P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO ACTION MAILED JANUARY 3, 2006,  
AND INTERVIEW SUMMARY

Please amend the above-identified application as follows:

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

February 22, 2006  
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Leticia A. Cuevas-Hernandez  
Typed or Printed Name of Person Signing Certificate

Amendments to the Specification:

Please replace the paragraph beginning at page 4, line 9 with the following amended paragraph:

FIGS. 8A and 8B are is a schematic diagram showing one example of a spacing amount association table used in "basic settings."

Please replace the paragraph beginning at page 4, line 13 with the following amended paragraph:

FIGS. 10A and 10B are is a schematic drawing showing one example of a spacing amount setting table stored in a spacing amount setting file.

Please replace the paragraph beginning at page 6, line 12 with the following amended paragraph:

FIG. 3 shows a part 20 of a screen display of the display device 3 or CRT 13 during DTP processing in the DTP system 1 or 10 shown in FIG. 1 or FIG. 2. Specifically, FIG. 3 shows a situation in which "new" was selected in a pulldown menu obtained by clicking on "file (F)" 24 on the menu bar, a new electronic document having a page layout grid 21 was opened, a text tool 22a was selected in a tool box 22, a frame 23 for text alignment was demarcated and text including of a multiple characters was input in the frame 23. In the example shown in FIG. 3, the text input into the frame 23 has been arranged in a plurality of lines and each character in each line has been arranged based on a spacing amount between a character and the start of the line or the end of the line, or between pairs of adjacent characters with a spacing that is preset for the start of the line, end of the line, and inside the line, respectively. If two characters are disposed adjacent to each other in the same line, the spacing amount set between them based on their character attributes is stored in advance in the spacing amount setting file 7b. Also, in practice, when multiple characters is are disposed in one line, those characters are disposed in the line based on the spacing amounts obtained from the spacing amount setting file 7b for those characters and the line composition control routine 7a appropriately adjusts the spacing amount

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by processing characters that cannot appear at the start of a line,[[,]] and the characters are suitably disposed in the line.

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A ~~text composition spacing amount setting device~~ for a desktop publishing (DTP) system, comprising:
  - at least one inter-character-class spacing amount setting table, ~~for use in line composition, for grouping similar characters, forming a plurality of character classes and setting inter-character spacing amounts between a character class of a previous character and a character class of a next character within a pair of continuous characters;~~ defining inter-character spacing amounts in line composition, the spacing amount setting table defining spacing for a plurality of character classes, each character class grouping one or more similar characters, the system using the inter-character-class spacing amount setting table to set inter-character spacing amounts between pairs of contiguous characters according to a character class of a previous character and a character class of a next character in each pair of contiguous characters;
  - a display device for displaying electronic text that has been line composed; and
  - an input device for ~~providing~~ receiving user input; and
  - ~~a spacing amount setter that is operable to display~~ means for displaying on the display device a dialog box for receiving a user input of setting a spacing amount between the character class for the previous character and the character class for the next character, and where the dialog box identifies particular character classes using to display in the dialog box an icon representing the character class for the previous character and an icon representing the character class for the next character.

2. (Currently Amended) The ~~text composition spacing amount setting device~~ DTP system of claim 1, wherein the plurality of character classes includes one or more of (1) starting parenthesis, (2) ending parenthesis, (3) characters that cannot appear at the start of a line, (4) non-centered punctuation, (5) centered punctuation, (6) period, (7) comma, (8) repeating characters that cannot be broken across lines, (9) preceding abbreviation code, (10) following abbreviation code, (11) full-width ideographic spaces, (12) hiragana, (13) Japanese characters other than character classes (1) through (12), (14) full-width numeral, (15) half-width numeral, (16) half-width Roman text, (17) start of line, (18) start of paragraph, and (19) end of line.
3. (Currently Amended) The ~~text composition spacing amount setting device~~ DTP system of claim 1, further operable to receive a user selection of either the character class of the previous character or the character class of the next character in the dialog box.
4. (Currently Amended) The ~~text composition spacing amount setting device~~ DTP system of claim 3, wherein a left side display column is provided for icons of the character class for the previous character and a right side display column is provided for icons for the character class of the next character in the dialog box, the device further being operable to display an icon representing a selected character class, among a plurality of classes, for the previous character in the left side display column, and to display an icon representing a selected character class, among a plurality of classes, for the next character in the right side display column.



5. (Currently Amended) A computer program product, tangibly stored on a computer-readable medium, ~~for setting at text composition spacing amount~~ in a desktop publishing (DTP) system, comprising instructions operable to cause a programmable processor to:

display on a display device a spacing amount saved in an inter-character class spacing amount setting character table in response to a user selection in the inter-character class spacing amount setting table defining inter-character spacing amounts in line composition, the spacing amount setting table defining spacing for a plurality of character classes, each character class grouping one or more similar characters, the system using the inter-character-class spacing amount setting table to set inter-character spacing amounts between pairs of contiguous characters according to a character class of a previous character and a character class of a next character in each pair of contiguous characters; ~~for use in line composition, the inter-character class spacing amount setting table grouping similar characters, forming a plurality of character classes and defining inter-character spacing amounts between a character class of a previous character and a character class of a next character within a pair of continuous characters;~~ and

display in the dialog box an icon representing the character class of the previous character and an icon representing the character class of the next character.

6. (Original) The computer program product of claim 5, wherein the plurality of character classes includes one or more of: (1) starting parenthesis, (2) ending parenthesis, (3) Japanese characters that cannot appear at the start of a line, (4) non-centered punctuation, (5) centered punctuation, (6) period, (7) comma, (8) repeating characters that cannot be broken across lines, (9) preceding abbreviation code, (10) following abbreviation code, (11) full-width ideographic spaces, (12) hiragana, (13) Japanese characters other than character classes (1) through (12), (14) full-width numeral, (15) half-width numeral, (16) half-width Roman text, (17) start of line, (18) start of paragraph, and (19) end of line.

7. (Original) The computer program product of claim 5 , further operable to receive a user selection of either the character class of the previous character or the character class of the next character in the dialog box.

8. (Original) The computer program product of claim 7, further operable to:  
display a left side display column for icons of the character class of the previous character and a right side display column for icons of the character class of the next character in the dialog box;

display the icon of the selected character class in the left side display column when a character class among a plurality of character classes is selected for the previous character's character class; and

display the icon of the selected character class in the right side display column when a character class among a plurality of character classes is selected for the next character's character class.

9. (Currently Amended) A ~~text composition spacing amount setting device for a desktop publishing (DTP) system, comprising:~~

~~at least one inter-character-class spacing amount setting table, for use in line composition; the inter-character-class spacing amount setting table grouping similar characters, forming a plurality of character classes and setting inter-character spacing amounts between a character class of a previous character and a character class of a next character within a pair of continuous characters; defining inter-character spacing amounts in line composition, the spacing amount setting table defining spacing for a plurality of character classes, each character class grouping one or more similar characters, the system using the inter-character-class spacing amount setting table to set inter-character spacing amounts between pairs of contiguous characters according to a character class of a previous character and a character class of a next character in each pair of contiguous characters;~~

~~a display means capable of displaying electronic text that has been line composed;~~

~~an input means with which a user can perform input; and~~

~~a spacing amount setting means that is operable to start in response to user input, and to display on the display means a dialog box for receiving a user input of setting a spacing amount between the character class of the previous character and the character class of the next character, and where the dialog box identifies particular character classes using to display in the dialog box an icon representing the character class of the previous character and an icon representing the character class of the next character.~~

10. (Currently Amended) A computer readable recording medium recording a text composition spacing amount setting program for executing by computer in a desktop publishing system, comprising:

a procedure for displaying on a display means in dialog box format a spacing amount saved in an inter-character-class spacing amount setting table when a user selects the inter-character-class spacing amount setting table, ~~for use in line composition, wherein the inter-character-class spacing amount setting table groups similar characters, forms a plurality of character classes and sets inter-character spacing amounts between a character class of a previous character and a character class of a next character within a pair of continuous~~ contiguous characters defining inter-character spacing amounts in line composition, the spacing amount setting table defining spacing for a plurality of character classes, each character class grouping one or more similar characters, the system using the inter-character-class spacing amount setting table to set inter-character spacing amounts between pairs of contiguous characters according to a character class of a previous character and a character class of a next character in each pair of contiguous characters; and

a procedure for displaying in the dialog box an icon representing the character class of the previous character and an icon representing the character class of the next character.

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### REMARKS

Claims 1-10 are currently pending, of which claims 1, 5, 9, and 10 are independent. Claims 1-5, and 9-10 are currently amended. Reconsideration of the action mailed January 3, 2006 is requested in light of the foregoing amendments and the following remarks.

The examiner provisionally rejected claims 1-3 and 6 under nonstatutory-type double patenting as allegedly unpatentable over claims 1-3 of U.S. Patent No. 6,928,611 ("McCully").

The examiner rejected claims 1, 3-5, and 7-10 under 35 U.S.C. § 102(a) as allegedly anticipated by Microsoft Word 2000 as shown in screenshots of a character spacing feature ("Word Screenshots"). The examiner rejected claims 2 and 6 under 35 U.S.C. § 103(a) as allegedly unpatentable over the Word Screenshots in view of U.S. Patent No. 5,501,538 ("Sawada").

### **Interview Summary**

The applicant wishes to thank the Examiner for the courtesy of an Interview conducted December 15, 2004. In the interview, in which Applicant's representative Brian J. Gustafson and Examiner Patel participated, the priority claim to U.S. Provisional Patent Application 60/235,260 was discussed. The priority claim was denied in the action mailed September 22, 2005, because the provisional application was filed in a foreign language. The applicant noted that an English language translation was filed in the provisional application. The examiner found the translation in the file history and agreed to grant the applicant's priority claim and issue a new action (*i.e.*, the present action mailed January 3, 2006).

### **Provisional Double Patenting Rejections**

Claim 1-3 and 6 stand provisionally rejected over McCully as nonstatutory-type double patenting. Specifically, independent claim 1 is provisionally rejected over claim 1 of McCully. The applicant respectfully disagrees. Claim 1 recites features not found in claim 1 of McCully. Similarly, claim 1 of McCully recites features not found in claim 1.

Specifically, claim 1 of McCully requires a detailed settings mode and a basic settings mode. The basic settings mode is "for modifying the inter-character spacing amounts using a

character class relationship table defining a relationship between the character class for the previous character and the character class for the next character.” The detailed settings mode is “for modifying the inter-character spacing amounts directly without using the character class relationship table.” Claim 1 of the present application, however, does not recite a basic settings mode and a detailed settings mode as recited in claim 1 of McCully.

Additionally, claim 1 of the present application recites a dialog box for receiving a user input setting a setting spacing amount between characters that includes displaying an “icon representing the character class for the previous character and an icon representing the character class for the next character.” Thus, icons are provided which represent the particular character classes to which the previous character and the next character belong. Claim 1 of McCully does not recite a spacing amount setter that displays icons representing the particular character classes for the previous character and the next character for a pair of contiguous characters. The applicant respectfully submits that the claim 1 is patentably distinct from McCully and therefore the double patenting rejection should be withdrawn. Claims 2-3 depend from claim 1, thus the double patenting rejection of those claims should be withdrawn for the same reasons as claim 1.

Claim 6 is also rejected over claim 2 of McCully as nonstatutory-type double patenting. Claim 6 depends from independent claim 5, which was not rejected over McCully. The applicant suspects, however, that the examiner intended to reject claims 5-7 over claims 8-10 of McCully, which recited computer program product versions of claims 1-3 of McCully. As such, claims 5-7 are patentably distinct from claims 8-10 of McCully for the same reasons set forth above with respect to claims 1-3.

### **Section 102 Rejections**

Claim 1 stands rejected over Word Screenshots. Claim 1 recites a desktop publishing system. The desktop publishing system includes at least one inter-character-class spacing amount setting table defining inter-character spacing amounts in line composition. The spacing amount setting table defines spacing for a plurality of character classes. Each character class groups one or more similar characters. The spacing amount setting table is used to set inter-character spacing amounts between pairs of contiguous characters according to a character

class of a previous character and a character class of a next character in each pair of contiguous characters.

The device also includes a means for displaying a dialog box on the display device. The dialog box is for receiving a user input setting a spacing amount between the character class for the previous character and the character class for the next character. The dialog box identifies particular character classes using an icon representing the character class for the previous character and an icon representing the character class for the next character. The icons identify character classes for setting a spacing amount for a particular character class pair.

The examiner states that the Word Screenshots disclose the recited spacing amount setter. The applicant respectfully disagrees. The Word Screenshots represent screenshots captured from Microsoft Word 2000 and show images of a character spacing tab in the font dialog box (*i.e.*, the dialog displayed when a user selects the "font" item from the "format" menu). The character spacing tab allows a user to apply a uniform inter-character spacing amount for one or more selected characters. The user selects an arbitrary spacing amount without regard to any character class to which the characters belong. For example, the user can set a particular point value defining the spacing amount to be applied between the characters.

However, the Word Screenshots do not disclose or suggest character classes. A character class groups similar characters, for example, characters sharing one or more composition attributes. *See* specification page 9, lines 27-31. Instead, the inter-character spacing shown in the Word Screenshots is performed directly and identically on every selected character regardless of any particular character classes to which the characters belong.

The examiner states that reference 440 in FIG. 4 shows character classes of a pair of characters. This is not the case. Reference 440 identifies characters in a preview window of the character spacing tab. The preview window provides a preview of sample text indicating the selected inter-character spacing amount. Thus, in FIG. 4, the sample text is the name of the current font "Times New Roman". The examiner specifically identifies the "N" and "e" characters as a pair of contiguous characters. However, the Word Screenshots do not identify the characters as belonging to particular character classes such that the applied spacing amount is set

based on the character class of the characters. In the preview pane, the same inter-character spacing amount is applied to all of the characters. The character spacing tab does not disclose or suggest character classes or setting a spacing amount for a pair of contiguous characters according to character class of a previous character and a next character.

The examiner does not specifically identify where the Word Screenshots disclose or suggest an icon representing the character class for the pervious character or an icon representing the character class of the next character for setting a spacing amount between the characters. Character classes are not represented in the Word Screenshots. Thus, no icons identifying particular character classes are disclosed or suggested in the Word Screenshots. Furthermore, no icons specifically representing the character classes of a previous character and a next character are disclosed or suggested by the Word Screenshots. The applicant submits that claim 1, as well as claims 2-4, which depend from claim 1, are in condition for allowance.

Claim 4 stands rejected over Word Screenshots. Claim 4 recites the device as further operable to "display an icon representing a selected character class, among a plurality of classes, for the previous character in the left side display column, and to display an icon representing a selected character class, among a plurality of classes, for the next character in the right side display column." As discussed above, the Word Screenshots do not disclose or suggest icons representing character classes. Furthermore, the Word Screenshots do not disclose or suggest columns of icons where the left side icons represent the character class of the previous character and the right side icons represent the character class of the next character. The applicant submits that claim 4 is in condition for allowance.

Claim 5 stands rejected over Word Screenshots. Claim 5 recites a computer program product that includes instructions to display in the dialog box an icon representing the character class of the previous character and an icon representing the character class of the next character. For the reasons as set forth above with respect to claim 1, claim 5 as well as claims 6-8, which depend from claim 5, are in condition for allowance.

Claim 9 stands rejected over Word Screenshots. Claim 9 recites a text composition spacing amount setting device that includes a dialog box identifies particular character classes



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using an icon representing the character class of the previous character and an icon representing the character class of the next character. For the reasons as set forth above with respect to claim 1, claim 9 is in condition for allowance.

Claim 10 stands rejected over Word Screenshots. Claim 10 recites a procedure for displaying in the dialog box an icon representing the character class of the previous character and an icon representing the character class of the next character. For the reasons as set forth above with respect to claim 1, claim 10 is in condition for allowance.


The applicant respectfully requests that all pending claims be allowed.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: February 22, 2006

  
\_\_\_\_\_  
Brian J. Gustafson  
Reg. No. 52,978

**Customer No. 21876**  
Fish & Richardson P.C.  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071